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Atty. Dkt. No. 032026-0460

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brandt, *et al.*

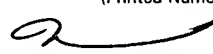
Title: PHARMACOLOGICALLY ACTIVE
ANTIVIRAL PEPTIDES AND METHODS
OF THEIR USE

Appl. No.: 09/777,560

Filing Date: 2/06/2001

Examiner:

Art Unit: 1646

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below. Mark A. Kassel (Printed Name)  (Signature) February 14, 2002 (Date of Deposit)

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Submitted herewith on Form PTO-1449 and presented below is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §§1.97 and 1.98.

U.S. PATENT DOCUMENTS

<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>
4,795,740	1/3/89	Cohen, <i>et al.</i>
5,441,936	8/15/95	Houghten, <i>et al.</i>
5,877,282	3/2/99	Nadler, <i>et al.</i>



FOREIGN PATENTS

<u>DOCUMENT NUMBER</u>	<u>ISSUE DATE</u>	<u>COUNTRY</u>
EP 0 531 080 A2	3/10/93	Europe
FR 2739621	4/11/97	France
WO 99/05302	2/4/99	PCT
WO 99/64449	12/16/99	PCT

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OTHER DOCUMENTS

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I. Choudhury, et al., "Inhibition of HIV-1 Replication by a Tat RNA-Binding Domain Peptide Analog," *Journal of Acquired Immune Deficiency Syndromes and Human Retrovirology*, Vol. 17, No. 2, pp. 104-111, February 1, 1998, published by Lippincott-Raven Publishers, Philadelphia.

M. Pooga, et al., "Cell penetration by transportan," *FASEB Journal*, Vol. 12, pp. 67-77, January 1998, published by the Federation for American Societies for Experimental Biology.

J. Oehlke, et al., "Cellular uptake of an α -helical amphipathic model peptide with the potential to deliver polar compounds into cell interior non-endocytically," *Biochimica et Biophysica Acta 1414*, pp. 127-139, 1998, published by Elsevier Science BV.

L. Zhang, et al., "Preparation of functionally active cell-permeable peptides by single step ligation of two peptide modules," *Proc. Natl. Acad. Sci.*, Vol. 95, pp. 9184-9189, August 1998, published by The National Academy of Sciences.

K. Janek, et al., "Water-Soluble β -Sheet Models Which Self-Assemble into Fibrillar Structures," *Biochemistry*, Vol. 38, No. 26, pp. 8246-8252, 1999, published by the American Chemical Society.

C. R. Brandt, et al., "Inhibition of HSV ocular infection by membrane transiting peptides," *Investigative Ophthalmology and Visual Science*, Vol. 42, No. 4, p. S108, 2000, published by the Association for Research in Vision and Ophthalmology.

REMARKS

The foregoing documents were cited in the International Search Report issued by the European Patent Office on 18 January 2002 on a Patent Cooperation Treaty application corresponding to the above-referenced U.S. application. A copy of the International Search Report is also enclosed.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

The listed document is being submitted in compliance with 37 C.F.R. §1.97(b). Therefore, Applicants believe no fee is required for this filing. However, the Commissioner is authorized to charge any fee due for this submission to Deposit Account No. 06-1447. For the purpose of charging said deposit account, a duplicate copy of this paper is enclosed.

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date February 17, 2002

By 

FOLEY & LARDNER
Customer Number: 23524

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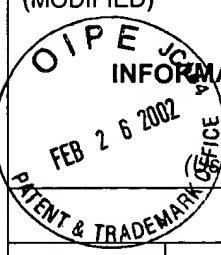
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PATENT TRADEMARK OFFICE

Telephone: (608) 258-4272

Facsimile: (608) 258-4258

Mark A. Kassel
Attorney for Applicants
Registration No. 38,200

Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 032026-0460		SERIAL NO. 09/777,560		
 INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				APPLICANT Brandt, et al.				
				FILING DATE 2/06/2001		GROUP ART UNIT 1646		
U.S. PATENT DOCUMENTS								
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		EP 0 531 080 A2	3/10/93	Europe			YES	NO
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